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Poland Enacts Tough Laws Against Crime, Dissidence

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WARSAW—Parliament overrode unusual opposition Friday and enacted two controversial laws that stiffen judicial penalties and give Polish judges broad authority to impose immediate prison sentences and heavy fines without trial in a wide range of political and criminal cases.

Twelve deputies to the 460-member Sejm (Parliament) voted against one of the laws, while 11 other deputies abstained. Ordinarily, the legislative bodies of Soviet Bloc countries unanimously approve legislation handed down by Communist Party leaders.

Many Poles expect the government to use the new laws as an additional tool for suppressing the still-vigorous political opposition. The government, however, contends that they are needed to deal with a national crime rate.

Special Criminal Liability

Tygodnik Mazowsze, the outlawed Solidarity movement's leading underground publication in the Warsaw area, has called the new laws outrageous and said they are meant to punish "all expression of independent public activity." Poland's Roman Catholic Church and some of the country's most respected lawyers have also denounced the laws as a further infringement of human rights.

Under the new law on "special criminal liability," one judge in each court district throughout Poland will be empowered to convict and sentence people charged with a variety of offenses, such as taking part in an illegal demonstration or black market speculation, without trial and within 48 hours of their arrest. Judges will be able to impose, at their discretion, fines of up to 500,000 zlotys (\$3,600, more than twice the average annual wage) and prison terms of up to three years.

Illegal Demonstrations

The new measures take effect July 1. The "special criminal liability" law is to remain in force for three years. The law amending the misdemeanor code is to be permanent. Two Sejm deputies voted against the latter measure and 16 abstained.

Under a current law, frequently applied to people detained in Solidarity demonstrations, courts may impose without trial sentences of up to one year in prison and fines of 25,000 zlotys. But these procedures apply only in cities and counties where a state of emergency is in effect.

Changes in the misdemeanor code make participation in an illegal demonstration punishable by up to three months in prison or by a

fine of up to 80,000 zlotys. Among the offenses now specified in the code is singing the national anthem at illegal demonstrations and holding a Polish flag inscribed with the word "Solidarity."

Adoption of the two measures followed a speech to the Sejm by the interior minister, Gen. Czeslaw Kiszczak, who said the number of reported crimes rose in 1984 to 539,000 in a nation of 38 million people, an increase of 15% over 1983.

Kiszczak did not go into the reasons for this increase in the crime rate, but dwelt instead on what he contended was the role of Western intelligence agencies in guiding the Solidarity underground. The underground, he said, now consists of about 300 illegal groups with a total membership of about 1,500 "declared enemies of socialism."

Kiszczak dismissed as "fanatics and ordinary hooligans" misled by agents of the CIA the thousands of Solidarity supporters who marched in Warsaw and 11 other cities on May 1 and 3.

"Intelligence-subversive activities," he said, "more and more involve diplomatic missions of certain states, as well as correspondents accredited to Poland, scholarship holders and even people on tourist visas."

Kiszczak repeated Polish charges that four American tourists and two diplomats ordered expelled last week took part in Solidarity demonstrations in the southern city of Krakow. The U.S. State Department has rejected the accusations as ludicrous and preposterous. U.S. Embassy sources said two of the tourists were in Poland to accompany an older relative who survived the Auschwitz death camp near Krakow.

U.S. Travel Advisory

The Krakow incidents led the State Department in Washington to issue a travel advisory that urged Americans to exercise "extreme caution" while visiting the Krakow area. The department said in a statement that the advisory was prompted by "the recent erratic and arbitrary behavior of law enforcement and security officials in the city."

The two diplomats, William Harwood, 38, a first secretary in the embassy at Warsaw, and David Hopper, 32, a consular official in Krakow, left Poland Friday morning to cheers and applause from about two dozen colleagues at the Warsaw airport. Both said they had done no more than observe the demonstration from a discreet distance.